

SECOND REGULAR SESSION

SENATE BILL NO. 848

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LeVOTA.

Read 1st time February 10, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5814S.01I

AN ACT

To repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to reimbursements for dual enrollment courses.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 160.545, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 160.545, to read as follows:

160.545. 1. There is hereby established within the department of
2 elementary and secondary education the "A+ Schools Program" to be administered
3 by the commissioner of education. The program shall consist of grant awards
4 made to public secondary schools that demonstrate a commitment to ensure that:

5 (1) All students be graduated from school;

6 (2) All students complete a selection of high school studies that is
7 challenging and for which there are identified learning expectations; and

8 (3) All students proceed from high school graduation to a college or
9 postsecondary vocational or technical school or high-wage job with work place
10 skill development opportunities.

11 2. The state board of education shall promulgate rules and regulations for
12 the approval of grants made under the program to schools that:

13 (1) Establish measurable districtwide performance standards for the goals
14 of the program outlined in subsection 1 of this section; and

15 (2) Specify the knowledge, skills and competencies, in measurable terms,
16 that students must demonstrate to successfully complete any individual course
17 offered by the school, and any course of studies which will qualify a student for
18 graduation from the school; and

19 (3) Do not offer a general track of courses that, upon completion, can lead

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 to a high school diploma; and

21 (4) Require rigorous coursework with standards of competency in basic
22 academic subjects for students pursuing vocational and technical education as
23 prescribed by rule and regulation of the state board of education; and

24 (5) Have a partnership plan developed in cooperation and with the advice
25 of local business persons, labor leaders, parents, and representatives of college
26 and postsecondary vocational and technical school representatives, with the plan
27 then approved by the local board of education. The plan shall specify a
28 mechanism to receive information on an annual basis from those who developed
29 the plan in addition to senior citizens, community leaders, and teachers to update
30 the plan in order to best meet the goals of the program as provided in subsection
31 1 of this section. Further, the plan shall detail the procedures used in the school
32 to identify students that may drop out of school and the intervention services to
33 be used to meet the needs of such students. The plan shall outline counseling
34 and mentoring services provided to students who will enter the work force upon
35 graduation from high school, address apprenticeship and intern programs, and
36 shall contain procedures for the recruitment of volunteers from the community
37 of the school to serve in schools receiving program grants.

38 3. A school district may participate in the program irrespective of its
39 accreditation classification by the state board of education, provided it meets all
40 other requirements.

41 4. By rule and regulation, the state board of education may determine a
42 local school district variable fund match requirement in order for a school or
43 schools in the district to receive a grant under the program. However, no school
44 in any district shall receive a grant under the program unless the district
45 designates a salaried employee to serve as the program coordinator, with the
46 district assuming a minimum of one-half the cost of the salary and other benefits
47 provided to the coordinator. Further, no school in any district shall receive a
48 grant under the program unless the district makes available facilities and
49 services for adult literacy training as specified by rule of the state board of
50 education.

51 5. For any school that meets the requirements for the approval of the
52 grants authorized by this section and specified in subsection 2 of this section for
53 three successive school years, by August first following the third such school year,
54 the commissioner of education shall present a plan to the superintendent of the
55 school district in which such school is located for the waiver of rules and

56 regulations to promote flexibility in the operations of the school and to enhance
57 and encourage efficiency in the delivery of instructional services in the
58 school. The provisions of other law to the contrary notwithstanding, the plan
59 presented to the superintendent shall provide a summary waiver, with no
60 conditions, for the pupil testing requirements pursuant to section 160.257 in the
61 school. Further, the provisions of other law to the contrary notwithstanding, the
62 plan shall detail a means for the waiver of requirements otherwise imposed on
63 the school related to the authority of the state board of education to classify
64 school districts pursuant to subdivision (9) of section 161.092 and such other rules
65 and regulations as determined by the commissioner of education, except such
66 waivers shall be confined to the school and not other schools in the school district
67 unless such other schools meet the requirements of this subsection. However,
68 any waiver provided to any school as outlined in this subsection shall be void on
69 June thirtieth of any school year in which the school fails to meet the
70 requirements for the approval of the grants authorized by this section as specified
71 in subsection 2 of this section.

72 6. For any school year, grants authorized by subsections 1 [to 3], **2, and**
73 **4** of this section shall be funded with the amount appropriated for this program,
74 less those funds necessary to reimburse eligible students pursuant to subsection
75 7 of this section.

76 7. The [commissioner] **department** of **higher** education shall, by rule
77 [and regulation of the state board of education and with the advice of the
78 coordinating board for higher education], establish a procedure for the
79 reimbursement of the cost of tuition, books and fees to any public community
80 college or vocational or technical school or within the limits established in
81 subsection 9 of this section for any two-year private vocational or technical school
82 for any student:

83 (1) Who has attended a public high school in the state for at least three
84 years immediately prior to graduation that meets the requirements of subsection
85 2 of this section[,]; except that students who are active duty military dependents,
86 and students who are dependants of retired military who relocate to Missouri
87 within one year of the date of the parent's retirement from active duty, who, in
88 the school year immediately preceding graduation, meet all other requirements
89 of this subsection and are attending a school that meets the requirements of
90 subsection 2 of this section shall be exempt from the three-year attendance
91 requirement of this subdivision; and

92 (2) Who has made a good faith effort to first secure all available federal
93 sources of funding that could be applied to the reimbursement described in this
94 subsection; and

95 (3) Who has earned a minimal grade average while in high school as
96 determined by rule of the [state board] **department of higher** education, and
97 other requirements for the reimbursement authorized by this subsection as
98 determined by rule and regulation of [said board] **the department**.

99 8. The commissioner of education shall develop a procedure for evaluating
100 the effectiveness of the program described in this section. Such evaluation shall
101 be conducted annually with the results of the evaluation provided to the governor,
102 speaker of the house, and president pro tempore of the senate.

103 9. For a two-year private vocational or technical school to obtain
104 reimbursements under subsection 7 of this section, the following requirements
105 shall be satisfied:

106 (1) Such two-year private vocational or technical school shall be a member
107 of the North Central Association and be accredited by the Higher Learning
108 Commission as of July 1, 2008, and maintain such accreditation;

109 (2) Such two-year private vocational or technical school shall be
110 designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code
111 of 1986, as amended;

112 (3) No two-year private vocational or technical school shall receive tuition
113 reimbursements in excess of the tuition rate charged by a public community
114 college for course work offered by the private vocational or technical school within
115 the service area of such college; and

116 (4) The reimbursements provided to any two-year private vocational or
117 technical school shall not violate the provisions of article IX, section 8, or article
118 I, section 7, of the Missouri Constitution or the first amendment of the United
119 States Constitution.

120 **10. (1) The department of higher education shall, by**
121 **administrative rule, establish a procedure for the reimbursement of the**
122 **student's portion of fees for any dual enrollment courses completed**
123 **that meet the criteria of section 167.223. To be eligible for such**
124 **reimbursements, a student shall meet the following criteria:**

125 **(a) Attend a public high school in the state for at least one year**
126 **that meets the requirements of subsection 2 of this section;**

127 **(b) Have made a good faith effort to first secure all available**

128 federal sources of funding that could be applied to the reimbursement
129 described in this subsection; and

130 (c) Earn a minimal grade point average while in high school as
131 determined by rule of the department of higher education and other
132 requirements for the reimbursement authorized by this subsection as
133 determined by administrative rule of the department.

134 (2) Any rule or portion of a rule, as that term is defined in
135 section 536.010 that is created under the authority delegated in this
136 subsection shall become effective only if it complies with and is subject
137 to all of the provisions of chapter 536, and, if applicable, section
138 536.028. This section and chapter 536 are nonseverable and if any of
139 the powers vested with the general assembly pursuant to chapter 536,
140 to review, to delay the effective date, or to disapprove and annul a rule
141 are subsequently held unconstitutional, then the grant of rulemaking
142 authority and any rule proposed or adopted after August 28, 2014, shall
143 be invalid and void.

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Bill

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